

Attachment A: Summary of Revisions to the RPS Eligibility Guidebook and Overall Program Guidebook

The following summarizes the proposed changes to the *Renewables Portfolio Standard Eligibility Guidebook* and the *Overall Program Guidebook for the Renewable Energy Program*. To review the proposed Changes in their entirety, please visit the Energy Commission's Website at <http://www.energy.ca.gov/portfolio/documents/index.html>, the documents will be made available by 5 pm on Monday, August 23, 2010.

I. Renewables Portfolio Standard Eligibility Guidebook

Eligibility

- Biodiesel. Adds specific fuel attestation requirements and removes duplicative requirements for supplemental application submissions.
- Biogas. Lists biogas as a stand-alone renewable eligible resource separate from the multi-fuel requirements section. Other changes to the biogas eligibility requirements include:
 - Clarifies acceptable methods of transporting the biogas;
 - Clarifies the eligibility of biogas to include transportation to an RPS-eligible electric generating facility that is located outside of California (but within the WECC); and
 - Clarifies the documentation required to be submitted with the application for RPS eligibility to demonstrate that requirements for delivery are satisfied.
- Biomass. Adds clarifying language on the de minimis requirements for biomass facilities and information on the fuel procurement attestation and fuel use. Removes duplicative requirements for supplemental application submission.
- Fuel Cells. Clarifies eligibility requirements for fuel cells using renewable fuels.
- Hydroelectric. Incorporates changes in law addressing eligibility of small hydroelectric and incremental hydroelectric facilities as follows:
 - Implements Assembly Bill 3048,¹ allowing existing small hydroelectric facilities owned or under contract with local publicly owned electric utilities prior to January 1, 2006, to be eligible for the RPS;
 - Implements Assembly Bill 1351,² allowing incremental hydroelectric generation from out-of-state facilities to receive their Section 401 certification under the federal Clean Water Act from the applicable state board or agency, and requires incremental generation from hydroelectric facilities to be owned by a retail seller or a local publicly owned electric utility.
- Municipal Solid Waste Conversion. Clarifies eligibility for MSW conversion facilities by allowing facilities located outside of California to be RPS eligible by submitting operating permits from the local governing body responsible for permitting solid waste facilities in that region.

¹ Assembly Bill 3048 (Statutes of 2008, Chapter 558), as codified in Public Utilities Code Section 224.3.

² Assembly Bill 1351 (Statutes of 2009, Chapter 252), amends pertinent provisions Public Utilities Code Section 399.12.5.

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- **Renewable Facilities using Multiple Resources.** Changes requirements for renewable facilities using multiple resources to:
 - Clarifies what constitutes a multi-fuel facility.
 - Clarifies what fuel types can be included in the de minimis of nonrenewable fuel use.
 - Requires all facilities using multiple energy inputs, including those that meet the de minimis requirements, to supply a measurement methodology that will be used to measure the contribution of each resource and fuel type. Appropriate measurement methodologies are provided.
- **Out-of-State Facilities.**
 - Clarifies the eligibility requirements for out-of-state facilities.
 - Requires submission of environmental documentation to support the claims made in the LORS analysis.
 - Adds “Noise” to the list of LORS required to be reviewed in the LORS analysis.
- **Energy Delivery Requirements.** Provides new instructions on using NERC E-tags to verify energy delivery from out-of-state facilities. Detailed instructions are included in Appendix B.

Certification

- Allows existing small hydroelectric and out-of-state baseline facilities owned or under contract to a POU to be RPS eligible.
- Describes the process for receiving a biogas delivery approval letter and the situations for which one will be provided.
- Adds limitations on the eligibility of past generation from eligible facilities not yet certified for the RPS.
- Clarifies requirements for registration in WREGIS, and places limits on the use of the Interim Tracking System.

Application Process

- Clarifies and adds requirements for submission of applications.
- States that the CEC-RPS-2 form will no longer be accepted as a valid application form for RPS certification or pre-certification.
- Sets the requirements to repower a conduit hydroelectric facility as the same to repower small hydroelectric facilities.

Tracking and Verification

- Describes the method the Energy Commission will use to transition from the Interim Tracking System to WREGIS for the verification process.
- Provides detailed instructions on how the REC retirement process will work for both the Interim Tracking System and WREGIS.
- Removes duplicate information about accounting for out-of-state, incremental generation from this section.

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- Adds detailed instructions in Appendix B on how to use NERC E-tags to verify delivery using WREGIS and how to retire RECs in WREGIS.
- Changes the date to submit RPS compliance reports to the Energy Commission from May 1 to June 1 of each year.

Publicly Owned Electric Utilities

- Incorporates AB 3048 (Statutes of 2008, chapter 558), which moved the definition of a local publicly owned electric utility to Public Utility Code Section 224.3. AB 3048 allows RPS certification for existing small hydroelectric facilities owned or selling to POUs.
- Changes the date to submit reports by POUs to the Energy Commission from May 1 to June 1 of each year.

II. Overall Program Guidebook

Glossary of Terms

The following terms have been revised or added:

- Biogas
- Biomass
- Central station
- Distributed generation
- Hydroelectric
- Local Publicly owned electric utility
- Nonrenewable energy resource
- On-site generation
- Procurement
- PTC (PVUSA Test Conditions)
- Renewable Energy Certificate (REC)
- Self-generation
- WECC interconnection
- Western Renewable Energy Generation Information System (WREGIS)